

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

United States of America

v.

Scott Nicholas Curtis,

Case No. 24-mj-8079-RMM

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 28, 2024, in the county of Palm Beach in the Southern District of Florida, the defendant(s) violated:

Code Section
Title 18, United States Code,
Section 1324(a)(1)(A)(i)

Offense Description
did knowingly bring and attempt to bring to the United States, an alien, knowing that said person was an alien, at a place other than as designated by the Secretary of Homeland Security.

This criminal complaint is based on these facts:
SEE ATTACHED AFFIDAVIT

☐ Continued on the attached sheet.

Edwin Medina
Complainant's signature

Edwin Medina, SA HSI
Printed name and title

Sworn and attested to me by Applicant by Telephone pursuant to Fed. R. Crim. P. 4(d) and 4.1.

Date:

2/29/24

Ryon M. McCabe
Judge's signature

City and state: West Palm Beach, Florida

Ryon M. McCabe, U.S. Magistrate Judge
Printed name and title

**AFFIDAVIT OF SPECIAL AGENT ELVIS MEDINA IN SUPPORT
OF A CRIMINAL COMPLAINT**

Your affiant, Elvis Medina, first being duly sworn, does hereby depose and state as follows:

1. I am a Special Agent with the U.S. Department of Homeland Security, Homeland Security Investigations (HSI), and have been so employed since June 2016. Prior to working for HSI, I was an agent with the U.S. Border Patrol, stationed in Arizona. I worked as a Border Patrol Agent for nearly eleven-and-a-half years. Among my responsibilities as an HSI Special Agent, I am trained and empowered to investigate crimes against the United States, as more fully described in Titles 8, 18, 19 and 21 of the United States Code, amongst others.

2. The facts set forth in this affidavit are based on my personal knowledge; information obtained in this investigation from others, including other law enforcement officers; my review of documents, pictures and computer records related to this investigation; and information gained through training and experience.

3. This affidavit is being submitted for the limited purpose of establishing probable cause to support a Criminal Complaint. As such, I have not included each and every fact known to me and law enforcement concerning this investigation. Rather, I have set forth only those facts necessary to establish probable cause to believe that Scott Nicholas CURTIS, a citizen and national of the United States, committed the offense of Illegally Bringing Aliens into the United States, in violation of 8 U.S.C. § 1324.

Probable Cause

4. On February 28, 2024, at approximately 4:52 PM, the Palm Beach County Sheriff's Office (PBSO) coastal radar system detected a target of interest (TOI) about 20.1 nautical miles east of Singer Island, traveling west-northwest at 15-18 kts towards the United States with vector from Grand Bahama. The radar system re-acquired the TOI at about 5:59 PM, showing the TOI

stationary at approximately 4.5 nautical miles of Jupiter Inlet. At approximately 6:10 PM, the TOI was intercepted by the U.S. Coast Guard (USCG), approximately 4.5 nautical miles East of the Jupiter Inlet. U.S. Customs and Border Protection (CBP) Air & Marine Operations (AMO) and PBSO Marine units arrived shortly after.

5. Upon interdicting the vessel, units observed five subjects onboard. During AMO boarding and questioning, Scott Nicholas CURTIS identified himself as a United States Citizen and captain of the vessel. CURTIS advised AMO agents that they were fishing four miles offshore and that they had run out of gas. CURTIS stated they were waiting on Sea Tow to arrive. The other four passengers stated they lived in the United States but could not name the town or provide any identification. An inspection of the vessel revealed three Romanian Passports belonging to three of the passengers. AMO agents noticed that the fishing poles and artificial lures on board the vessel are primarily used for in-land fishing.

6. AMO seized the suspect vessel, which displayed registration number FL4280PD. A search of the Florida Department of Highway and Motor Vehicles revealed that the vessel is a 1989 31' vessel. The vessel HIN # is MRKZ0055H889. The vessel is registered to Gene O'Neil, in Stuart, Florida. The vessel has not been reported stolen in NCIC/FCIC.


7. On February 28, 2024, CURTIS was transported to and first landed in the United States, at the USCG Lake Worth Inlet station, which your affiant knows to be located in Palm Beach County in the Southern District of Florida. He was thereafter relinquished to the custody of the U.S. Border Patrol in Riviera Beach, Florida for administrative processing and further investigation. The other subjects onboard were transferred to a U.S. Coast Guard (USCG) cutter for biometric processing and analysis.

8. The four passengers onboard were transferred to a U.S. Coast Guard (USCG) cutter for biometric processing and analysis. None of the individuals were determined to be United States Citizens, or in possession of any documentation authorizing them to enter the United States. ~~Here~~ ^{Three} of the four passengers are adult male citizens of Romania. One passenger is an adult female citizen of Romania.

CONCLUSION

9. WHEREFORE, on the basis of the foregoing facts and evidence, your affiant respectfully submits that probable cause exists to charge Scott Nicholas CURTIS, a citizen and national of the United States, for the offense of Illegally Bringing Aliens into the United States, in violation of 8 U.S.C. § 1324.

FURTHER YOUR AFFIANT SAYETH NAUGHT.


ELVIS MEDINA
SPECIAL AGENT
HOMELAND SECURITY INVESTIGATIONS

SWORN AND ATTESTED TO ME IN PERSON
PURSUANT TO FED. R. CRIM. P. 4(d) AND 4.1
THIS 29 DAY OF FEBRUARY 2024.


HONORABLE RYON M. MCCABE
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: SCOTT NICHOLAS CURTIS

Bringing Aliens Into the United States

Title 8, United States Code, Section 1324(a)(1)(A)(i)

*Max. Penalty: 10 years' imprisonment; 3 years supervised release; \$250,000 fine

*Refers only to possible term of incarceration, supervised release and fine. It does not include possible restitution, special assessments, parole terms, or forfeitures that may be applicable.